



MAY 03 2006

PTO/SB/17p (11-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FEE**  
**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**

(Fees are subject to annual revision)

**Send completed form to:**

MS Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Application Number	10/617,489
Filing Date	July 10, 2003
First Named Inventor	Thomas L. CANTOR
Art Unit	1641
Examiner Name	C. Cheu
Attorney Docket Number	532212000623

Enclosed is a petition filed under 37 CFR 1.59 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 200.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees).

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 03-1952 :

Petition fee under 37 CFR 1.17(f), (g) or (h)     Any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

Check in the amount of \$ \_\_\_\_\_ is enclosed.

Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.53(e) – to accord a filing date.
- § 1.57(a) – to accord a filing date.
- § 1.182 – for decision on a question not specifically provided for.
- § 1.183 – to suspend the rules.
- § 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

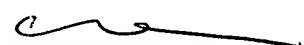
For petitions filed under:

- § 1.12 – for access to an assignment record.
- § 1.14 – for access to an application.
- § 1.47 – for filing by other than all the inventors or a person not the inventor.
- § 1.59 – for expungement of information.
- § 1.103(a) – to suspend action in an application.
- § 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 – for review of refusal to publish a statutory invention registration.
- § 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) – for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 – for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 – for expedited handling of a foreign filing license.
- § 5.15 – for changing the scope of a license.
- § 5.25 – for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) – to request documents in a form other than that provided in this part.
- § 1.84 – for accepting color drawings or photographs.
- § 1.91 – for entry of a model or exhibit.
- § 1.102(d) – to make an application special.
- § 1.138(c) – to expressly abandon an application to avoid publication.
- § 1.313 – to withdraw an application from issue.
- § 1.314 – to defer issuance of a patent.



Signature

May 3, 2006

Date

Peng Chen  
 Typed or printed name

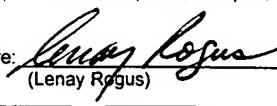
43,543  
 Registration No., if applicable





I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 743885422 US, in a BOX addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 3, 2006

Signature:   
(Lenay Rogus)

Patent  
Docket No. 532212000623

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Thomas L. CANTOR

Serial No.: 10/617,489

Filing Date: July 10, 2003

For: METHODS, KITS AND ANTIBODIES  
FOR DETECTING PARATHYROID  
HORMONE

Examiner: C. Cheu

Group Art Unit: 1641

## PETITION TO EXPUNGE INFORMATION UNDER MPEP § 724.06 AND 37 C.F.R. § 1.59

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to MPEP § 724.06 and 37 C.F.R. § 1.59(b), Applicant hereby petitions the Commissioner to have the 28 documents submitted in the above-identified application with the Supplemental Information Disclosure Statement on May 3, 2006 expunged upon allowance or abandonment of this application.

05/08/2006 BABRAHAI 00000025 031952 10617489

02 FC:1463 200.00 DA

sd-312180

Pursuant to MPEP § 724.05(a) and (b), Applicant believes expungement is appropriate for document numbers 1-27 listed on the attached Form PTO/SB/08a/b because they are **SUBJECT TO PROTECTIVE ORDER** in *Nichols Institute Diagnostics, Inc. v. Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.*, U.S.D.C. for the Southern District of California, case number 02 CV 0046 B (JMA), currently on appeal at the United States Court of Appeals for the Federal Circuit. These documents have not been otherwise made public.

Pursuant to MPEP § 724.05(a) and (b), Applicant believes expungement is appropriate for document number 28 listed on the attached Form PTO/SB/08a/b because it is **SUBJECT TO PROTECTIVE ORDER** in *Scantibodies Laboratory, Inc. v. Immutopics, Inc.*, currently pending in the United States District Court for the Central District of California, Case No. CV04-8871 GPS (MANx).

Please return the documents to the undersigned upon mailing of a Notice of Allowance or Abandonment of this application. Applicant acknowledges that upon the grant of this petition and return of the documents that are **SUBJECT TO PROTECTIVE ORDER** (document Nos. 1-28), Applicant will preserve the documents for the entire term of the patent in accordance with MPEP § 724.05 (c).

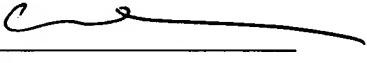
Pursuant to MPEP § 725.05 (d), this petition is being submitted by, or on the behalf of, the party in interest who originally submitted the information.

Pursuant to MPEP § 725.05 (e), the Commissioner is hereby authorized to charge the required fee under 37 C.F.R. § 1.17(g) for a petition under 37 C.F.R. § 1.59(b) to **Deposit Account No. 03-1952** referencing docket no. 532212000623. Fee Transmittal (form PTO/SB/17p) is attached in duplicate.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 532212000623.

Dated: May 3, 2006

Respectfully submitted,

By   
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